

Sixth Appellate District

San Jose, California

MONDAY, APRIL 6, 2009

(no minute approved orders)

TUESDAY, APRIL 7, 2009

The following cases are submitted this date:

H033096 PEOPLE v. GARCIA  
H033566 PEOPLE v. HALLEY  
H033303 PEOPLE v. LAW  
H033593 PEOPLE v. BEAN  
H033336 PEOPLE v. PIZARRO  
H033730 PEOPLE v. STAMOS  
H033352 PEOPLE v. HOWARD  
H033692 PEOPLE v. CHAVEZ  
H033359 PEOPLE v. GARRIS  
H033629 PEOPLE v. TORREZ  
H033394 PEOPLE v. ALFARO  
H033674 PEOPLE v. SINGH

H032842 LAZOR on Habeas Corpus

The trial court's order that directs the Board to conduct a new parole suitability hearing and to proceed in accordance with due process is modified to direct the Board to reconsider petitioner's parole suitability in light of *In re Lawrence*, *supra*, 44 Cal.4<sup>th</sup> 1181 and *In re Shaputis*, *supra*, 44 Cal.4<sup>th</sup> 1241 and is further modified to omit all restrictions upon the Board's full exercise of its discretion under law. As modified, the order is affirmed. The court is directed to forward a copy of the order as modified to the Board. (published)

(Elia, J.; We concur: Rushing, P.J., Premo, J.)

Filed April 7, 2009

H032766 CHO v. COUNTY OF SANTA CLARA

The judgment is reversed. The matter is remanded to permit the trial court to determine the amount of community property held by the Chos during the period covered by Peter Cho's second hospital stay, August 30-September 21, 2000. The court shall then enter a new judgment imposing liability for the hospital charges during that period to the extent of the community assets, along with the full amount the court previously found appellant personally owes for the August 16-23, 2000 hospitalization period. The parties shall bear their own costs on appeal. (not published)

Sixth Appellate District

San Jose, California

(Elia, J.; We concur: Rushing, P.J., Premo, J.)  
Filed April 7, 2009

Sixth Appellate District

San Jose, California

TUESDAY, APRIL 7, 2009 (continued)

H032708 PEOPLE v. SHYSHKA

The order for attorney fees is affirmed. (not published)  
(Rushing, P.J.; We concur: Premo, J., Elia, J.)  
Filed April 7, 2009

H033138 PEOPLE v. ARGUELLO

The judgment is affirmed. (not published)  
(Rushing, P.J.; We concur: Premo, J., Elia, J.)  
Filed April 7, 2009

WEDNESDAY, APRIL 8, 2009

H031941 PEOPLE v. ENDERS

By the Court:

On the court's own motion, the submission order in the above-entitled matter dated January 13, 2009, is hereby vacated. The court by separate letter issued April 8, 2009, has requested supplemental briefing from the parties. The cause will be resubmitted upon completion of supplemental briefing.

Dated: April 8, 2009 Bamattre-Manoukian, Acting P.J.

H031637 DALIS, as TRUSTEE, etc. v. REINHARD

The judgment and the attorney's fees order are affirmed.  
(not published)  
(Mihara, J.; We concur: Elia, Acting P.J., McAdams, J.)  
Filed April 8, 2009

H033352 PEOPLE v. HOWARD

The order committing defendant to the Department of Mental Health is affirmed. (not published)  
(Bamattre-Manoukian, Acting P.J.; We concur: McAdams, J., Duffy, J.)  
Filed April 8, 2009

H032245 PEOPLE v. LIVESAY

The October 23, 2007 order denying defendant's Penal Code section 17, subdivision (b) motion is affirmed. (not published)  
(Bamattre-Manoukian, Acting P.J.; We concur: McAdams, J., Duffy, J.)  
Filed April 8, 2009

Sixth Appellate District

San Jose, California

THURSDAY, APRIL 9, 2009

The following case is submitted this date:

H033902 P.D. v. SUPERIOR COURT

H032297 PEOPLE v. FAIRMONT SPECIALTY GROUP et al.

The order is affirmed. (not published)

(Mihara, Acting P.J.; We concur: McAdams, J., Duffy, J.)

Filed April 9, 2009

H032678 eBUSINESS APPLICATION, et al. v. GUPTA, et al.

For the reasons stated above, the judgment is affirmed. The motion of the eBAS parties for sanctions against Sunita is denied. Each party is to bear their own costs of appeal. (not published)

(Rushing, P.J.; We concur: Premo, J., Elia, J.)

Filed April 9, 2009

H032047 JAMEISON on Habeas Corpus

By the Court\*:

Respondent's petition for rehearing is denied.

Filed: April 9, 2009

\*Before Rushing, P.J., Premo, J. and Elia, J.

FRIDAY, APRIL 10, 2009

H033224 In re Emily O.; DFCS v. Jose P., et al.

By the Court\*:

Appellant's petition for rehearing is denied.

Filed: April 10, 2009

\*Before Bamattre-Manoukian, Acting P.J., Mihara, J. and Duffy, J.

H033036 In re Emily O.; DFCS v. Jose P., et al.

By the Court\*:

Appellant's petition for rehearing is denied.

Filed: April 10, 2009

\*Before Bamattre-Manoukian, Acting P.J., Mihara, J. and Duffy, J.